

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
AT COLUMBIA

AMGUARD INSURANCE COMPANY)	
)	
v.)	No. 1:21-cv-0075
)	Campbell/Holmes
A&H TOWING, LLC, et al)	

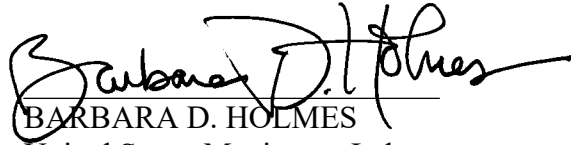
ORDER

Attorney Brian Dunigan of Ponce Law, PC, has filed a “notice of disassociation and substitution of counsel” (Docket No. 49), in which he states that L. Mackenzie Cover, the current attorney of record for Defendant Janice Killen, s no longer with Ponce Law, and that “all future correspondence from the Court and all parties should be directed to Brian Dunigan.” (Docket No. 49.) The Court’s local rules, however, require that “[a]ny attorney substituting as counsel of record for a party must promptly file a **motion** for substitution of counsel.” Local Rule 83.01(h) (emphasis added). Mr. Dunigan’s filing, which is not a motion, does not conform to Local Rule 83.01(h). Nor does the notice comply with Local Rule 83.01(g) because a notice of withdrawal is permitted without the filing of a motion only by the withdrawing attorney and requires that representation will continue by another attorney in the same firm who is already counsel of record. Neither of those circumstances are present here.

Nevertheless, the Court will construe Mr. Dunigan’s notice (Docket No. 49) as a pending motion to substitute, and because the same law firm, Ponce Law, will continue to represent Ms.

Killen, the Court will otherwise excuse compliance with Local Rule 83.01(g) and (h).¹ The Clerk is therefore directed to treat the notice (Docket No. 49) as a motion, which is GRANTED.

It is SO ORDERED.


BARBARA D. HOLMES
United States Magistrate Judge

¹ Mr. Dunigan is however cautioned to familiarize himself with the Court's local rules and to ensure future compliance.